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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 06-267 SI
	)	
Plaintiff,	)	[PROPOSED] ORDER AND STIPULATION
	)	(1) EXCLUDING TIME FROM
v.	)	SEPTEMBER 1, 2006 TO SEPTEMBER 22,
	)	2006 FROM THE SPEEDY TRIAL ACT
JOE MILAM CATHEY,	)	CALCULATION
	)	(18 U.S.C. § 3161(h)(8)(A))
Defendant.	)	

The parties appeared before the Honorable Susan Illston on September 1, 2006.

With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act from September 1, 2006 to September 22, 2006, in light of the need for the government to produce recently-requested discovery, for the defense counsel to review that discovery with his client and discuss an appropriate disposition with the government. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence as well as the travel schedule of the defendant's counsel, and would deny the defendant continuity of counsel.

STIP & [PROP.] ORDER  
 CR 06-327 SI

1 2. Given these circumstances, the Court found that the ends of justice served by excluding  
2 the period from September 1, 2006 to September 22, 2006 outweigh the best interest of the  
3 public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

4 3. Accordingly, and with the consent of the defendant, the Court ordered that the period from  
5 September 1, 2006 to September 22, 2006 be excluded from Speedy Trial Act calculations under  
6 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

7  
8 IT IS SO STIPULATED.

9  
10 DATED: September 7, 2006


/S/  
\_\_\_\_\_  
TRACIE L. BROWN  
Assistant United States Attorney

11  
12  
13 DATED: September 5, 2006

/S/  
\_\_\_\_\_  
STEVEN KALAR  
Attorney for Joe Milam Cathey

14  
15 IT IS SO ORDERED.

16  
17 DATED: \_\_\_\_\_

  
\_\_\_\_\_  
THE HON. SUSAN ILLSTON  
United States District Judge